

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

BBVA COMPASS BANK

V.

UNITED STATES OF AMERICA

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CASE NO. 4:10cv56
(Judge Schneider/Judge Mazzant)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On June 29, 2010, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant United States of America's Motion to Dismiss for Lack of Subject Matter Jurisdiction pursuant to 21 U.S.C. § 853(k)(2) should be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that the Motion to Dismiss for Lack of Subject Matter Jurisdiction pursuant to 21 U.S.C. § 853(k)(2) by the Defendant United States of America is GRANTED and Plaintiff's case is dismissed.

IT IS SO ORDERED.

SIGNED this 20th day of July, 2010.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE